

# **EXHIBIT 11**

Page 1

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CIVIL NO. 18-1776 (JRT/HB)  
0:21-MD-02998-JRT-HB  
MDL NO. 2998

IN RE: PORK ANTITRUST LITIGATION

This Document Relates to: All Actions

HIGHLY CONFIDENTIAL

REMOTE VIDEO DEPOSITION OF PHIL CLEMENS  
March 10, 2022

REPORTED BY: Laura H. Nichols  
Certified Realtime Reporter,  
Registered Professional  
Reporter and Notary Public

1           A.       Partially yes, but you have to do  
2       total protein, not just hogs.

3           Q.       And so, again, I will ask you: Do  
4       you recall that you and others in the industry felt  
5       that the solution to the challenges facing the  
6       industry was to reduce the number of hogs on the  
7       U.S. and Canadian market?

8                   MR. LAYTIN: Objection to form.  
9       Lacks foundation.

10          A.       My answer is reducing hogs, which is  
11       part of the total protein chain.

12          Q.       (BY MR. ZIRPOLI:) Do you recall that  
13       at this time, you were monitoring your competitors'  
14       production cuts?

15          A.       I do not recall that.

16          Q.       Would that surprise you if you were  
17       monitoring your competitors' production cuts at  
18       this time?

19          A.       If you remember the time, it is when  
20       H1N1 had hit and swine flu was impacting the U.S.  
21       market in particular, so everyone was watching what  
22       they were producing because pork consumption had  
23       dropped significantly.

24          Q.       So do you agree that you monitor your  
25       competitors' production numbers?

C E R T I F I C A T E

STATE OF ALABAMA

JEFFERSON COUNTY

I hereby certify that the above and foregoing deposition was taken down by me in stenotypy, and the questions and answers thereto were reduced to typewriting under my supervision, and that the foregoing represents a true and correct transcript of the deposition given by said witness upon said hearing, to the best of my ability.

I further certify that I am neither of counsel nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.



/s/ LAURA H. NICHOLS

Commissioner-Notary Public, State of AL

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